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|--|----|------------------------|--------------------|
| <b>TRANSMITTAL FORM</b><br><i>(to be used for all correspondence after initial filing)</i> |    | Application Number     | 10/529,096         |
|  |    | Filing Date            | September 23, 2003 |
|  |    | First Named Inventor   | Krozowski et al.   |
|  |    | Group Art Unit         | To be Assigned     |
|  |    | Examiner Name          | To be Assigned     |
| Total Number of Pages in This Submission   | 37 | Attorney Docket Number | 2354/290           |

| ENCLOSURES (check all that apply)  |  |  |
|--|--|--|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment / Reply (\$_____)<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input checked="" type="checkbox"/> Extension of Time Request (1 month) (\$60)<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement (\$_____)<br><input checked="" type="checkbox"/> Certified Copy of Priority Document<br><input checked="" type="checkbox"/> Response to Notice to File Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US)<br><input checked="" type="checkbox"/> A copy of the Notice to File Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) | <input type="checkbox"/> Assignment Papers (for an Application)<br><input type="checkbox"/> Drawing(s)<br><input checked="" type="checkbox"/> Declaration and Power of Attorney<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition (\$_____)<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer (\$_____)<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to Group (\$_____) (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input type="checkbox"/> Application Data Sheet<br><input type="checkbox"/> Request for Corrected Filing Receipt with Enclosures<br><input checked="" type="checkbox"/> A self-addressed, prepaid postcard for acknowledging receipt<br><input checked="" type="checkbox"/> Check in the amount of \$60.00<br><input type="checkbox"/> Other Enclosure(s) (please identify below): |
| Remarks  | <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 14-1138 for the above identified docket number.   |  |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT  |                         |
|---|-------------------------|
| Firm or Individual name<br>Edwin V. Merkel<br>Nixon Peabody LLP<br>Clinton Square, P.O. Box 31051<br>Rochester, New York 14603-1051<br>Telephone: (585) 263-1128<br>Fax: (585) 263-1600 | Registration No. 40,087 |
| Signature   | <i>[Signature]</i>      |
| Date  | October 14, 2005        |

| CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]  |  |
|---|--|
| I hereby certify that this correspondence is being:   |  |
| <input checked="" type="checkbox"/> deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop PCT, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 |  |
| <input type="checkbox"/> transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) _____.  |  |
| 10/14/05<br>Date  | <i>[Signature]</i><br>Signature<br>Laura L. Trost<br>Typed or printed name |



## UNITED STATES PATENT AND TRADEMARK OFFICE

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| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
|-----------------------------|-----------------------|------------------|
| 10/529,096                  | Zygmunt KROZOWSKI     | 2354/290         |

Nixon Peabody  
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Nixon Peabody LLP

AUG 17 2005

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Dkt Response Date  
October 9, 2005

INTERNATIONAL APPLICATION NO.

PCT/AU03/01256

I.A. FILING DATE

PRIORITY DATE

09/23/2003

09/24/2002

CONFIRMATION NO. 1974

371 FORMALITIES LETTER



\*OC000000016706938\*

Date Mailed: 08/09/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 03/24/2005
- Copy of the International Search Report filed on 03/24/2005
- Preliminary Amendments filed on 03/24/2005
- Request for Immediate Examination filed on 03/24/2005
- U.S. Basic National Fees filed on 03/24/2005
- Priority Documents filed on 03/24/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

FRANCINE YOUNG

Telephone: (703) 308-9140 EXT 215

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/529,096                  | PCT/AU03/01256                | 2354/290         |

FORM PCT/DO/EO/905 (371 Formalities Notice)